



TOWN OF BEAUX ARTS VILLAGE

TOWN COUNCIL MINUTES

February 14, 2006

Leider

SWEARING IN OF NEWLY ELECTED OFFICERS: Clerk-Treasurer Spens administered the Oath of Office to newly elected Councilmember Aaron Sharp.

Mayor Wells called the meeting to order at 7:30 pm.

PRESENT: Mayor Judee Wells, Councilmembers Richard Leider, Aaron Sharp, and Bruce Young.

EXCUSED: Councilmember Tom Robinson.

STAFF: Clerk-Treasurer Sue Ann Spens.

GUESTS: Town Marshal Kyle Branum, WABA Representative Gerri Armbruster.

CONFIRMATION OF CAROL CLEMETT'S APPOINTMENT TO COUNCIL: Mayor Wells asked the Council to confirm her appointment of Carol Clemett to file Position No. 4 vacated when Ms. Wells was elected as Mayor. She noted that this is for an unexpired two-year term.

Motion: Councilmember Leider moved to confirm the appointment of Carol Clemett to Council Position No. 4 replacing Judee Wells for an unexpired two-year term. Councilmember Young seconded.

Vote: 3 For, 0 Against, 0 Abstain. Motion carried.

Immediately after this confirmation, Clerk-Treasurer Spens administered the Oath of Office to newly appointed Councilmember Carol Clemett, who then took her place at the Council table.

MINUTES: Councilmember Leider moved to approve the January 10, 2006 minutes as written. Councilmember Young seconded.

Vote: 3 For, 0 Against, 1 Abstain (Sharp). Motion carried.

CLERK'S REPORT:

FINAL BUDGET VS. ACTUALS FOR 2005: Clerk-Treasurer Spens directed the Council's attention to the preliminary final revenue and expenditure totals for 2005 and noted that expenditures in the General Fund are \$1,300 over the budget amount as amended in December 2005. She explained that the cost overrun occurred in the Building Department because actual costs exceeded her estimates during the transition from CHS Engineers to Huitt-Zollars. She added that she reviewed expenditures for the year looking for miscodings to correct but cannot find any, so the budget overrun will appear in the Town's annual report. She explained that the auditor's will make note of it in their audit report next year, but it is an explainable overrun of a cost over which we have limited control.

MOLBAK REQUEST TO REVISE MAY 2005 MINUTES: Clerk-Treasurer Spens reminded the Council that they had agreed to review the May 2005 minutes and consider revising them to eliminate reference to the Molbaks threatening to sue the Town as this threat was never made.

MOTION: Councilmember Sharp moved to amend the May 10, 2005 minutes as discussed. Councilmember Leider seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

PLANNING COMMISSION RESIGNATION: Clerk-Treasurer Spens reported that Planning Commissioner Sylvia Hobbs tendered her resignation from the Commission concurrent with the expiration of her term. Mayor Wells will work to find a replacement for Ms. Hobbs and for Carol Clemett, who resigned from the Planning Commission to accept the appointment to the Council.

HANSON GARAGE: Clerk-Treasurer Spens reminded the Council that she was asked to investigate the possibility of leasing the existing garage structure that sits on Town right-of-way to the future owner of the Hanson property. She reported that Town Attorney Stewart advised that a lease is possible if the Council really wants to pursue it. After discussion, it was the consensus of the Council that while the garage is structurally sound, it is poorly sited on the ROW and may restrict access to the Hanson property. It was also the Council's consensus to stick to the original agreement with Harold Hanson that the garage be removed when the property is sold.

WARRANTS: Councilmember Leider moved to approve the February 14, 2006 warrant list, including warrant numbers 6938 through 6967 in the amount of \$16,746.79. Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

MARSHAL'S REPORT: Marshal Kyle Branum reported that a suspected car theft last month turned out to be an error. Mayor Wells asked how well BlockWatch worked in passing this information throughout the Village. Marshal Branum answered that it went well although not every Villager was notified because the reporting error was discovered before all Villagers received the alert. He added that there may have been a mail theft also, but the affected resident wasn't sure enough of a loss to report it to the police.

WATER REPORT: Councilmember Sharp reported on Water Superintendent Durr's behalf that they had discussed increasing Bill Back's monthly stipend by \$100 and had agreed that the increase is warranted. He asked the Council to affirm this decision.

MOTION: Councilmember Leider moved to approve an increase in Bill Beck's stipend of \$100 per month effective immediately. Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

WABA REPORT: WABA Representative Gerri Armbruster reported that the following WABA officers were elected at the Winter Dinner:

Bernard Van de Kamp, President

Kyle Branum, Vice-President

Joann Bromberg, Secretary

Gerri Armbruster, Treasurer
Julia Morse, Trustee at Large

She also reported that the Beach Clean Up is scheduled for April 22nd and the Summer Picnic for July 15th.

EMERGENCY PREPAREDNESS: No report.

REVIEW AND DISCUSSION OF HUITT-ZOLLARS COSTS AND SERVICE

QUALITY: Clerk-Treasurer Spens reported that she completed a comparison of charges from Huitt-Zollars and CHS Engineers and found that the cost per inspection is running three times higher with Huitt-Zollars than they were with CHS. She added that surprisingly administrative costs (including billing charges) that are not attributable to a specific project are running almost nine times higher with Huitt-Zollars. She commented that the Town of Hunts Point has become so concerned with the higher costs of the Huitt-Zollars contract that they are actively seeking a replacement firm and will probably execute a contract with BJY.

Clerk-Treasurer Spens noted that the original hope was that the contract with Huitt-Zollars would allow the Town to maintain a positive cash flow in the building department while providing more professional services to permit holders. She commented that the quality of inspections seems to be satisfactory, but the costs of all services are high enough to make her concerned about budget overruns.

Councilmembers Aaron Sharp and Richard Leider volunteered to form an ad hoc committee to review qualifications for other building-services providers and determine if Beaux Arts should also switch to another provider. They will ask Bob Durr to join them in this review and will need a copy of the current contract with Huitt-Zollars and contact information for several firms in the area.

DISCUSSION OF COUNCILMEMBER DUTIES AND ASSIGNMENTS: After a brief discussion, it was the consensus of the Council that the recent realignment of duties is appropriate.

Councilmember Clemett stated that she had walked around the Village in preparation for assuming her duties for Town Clean Up and other beautification duties and had noticed a number of boat trailers parked either on the right of way or in unscreened locations. She asked why the requirement to park these trailers in a screened location on the owners property is not enforced. Mayor Wells answered that the ordinance has been enforced on a complaint basis only. Councilmember Clemett stated that she believes the ordinance should be enforced uniformly and will take another walk around Town armed with the most recent Town survey so she can compile a list of violations.

After additional discussion, it was the consensus of the Council that Clerk-Treasurer Spens should also place a general notice in the newsletter warning boat-trailer owners of upcoming enforcement action and asking them to move their trailers to an allowable location or make other provisions for storage as appropriate. She will also post a notice to that effect on mailstands and include the ordinance language that establishes the rule.

MAYOR AND COUNCILMEMBER REPORTS:

STORMWATER DRAINAGE: Councilmember Sharp reported that he has examined the stormwater-runoff situation on 106th Pl SE and is working with Carl Stixrood with Huitt-Zollars to determine the appropriate remedy. He explained to the Council that the permit for the remodel of the Gammill property may have been issued without a requirement for some form of stormwater retention or a diversion to the existing stormwater system. He added that the roof drains on the original house drained into the sanitary sewer, a method that is not allowed by the state building code. He also added that a similar situation on the newly divided property at 105th SE and SE 28th St was remedied by the property owner installing a new storm drain and tying stormwater runoff from the property to it. He then stated that projects considered as new construction or reconstruction are large enough to have a significant impact on the Town's stormwater system and that the state building code provides the Town the option of requiring the owner of the property being developed to upgrade their stormwater handling so as to mitigate the impact on neighboring properties and the Town's streets.

Councilmember Leider asked what solution Councilmember Sharp is recommending. Councilmember Sharp responded that the Gammills can either install a stormwater retention system, connect to the Town's existing stormwater drainage system, or find another solution that eliminates the direct drainage onto the Town right of way. He added that the owners must find an immediate solution to eliminate the flooding of the street during rainy weather, though this solution is likely to be short-term only.

Councilmember Sharp further explained that he isn't sure the Town's existing stormwater drainage system has the needed capacity to handle all of the runoff from the Gammill property, but that he will need to review the existing system and make recommendations about needed improvements and upgrades at a future meeting.

WATER RIGHTS REVIEW: Mayor Wells reported that she is about to initiate a review of the Town's water rights and our documentation of those rights. She stated she learned at a recent Eastside Mayors' Meeting that protection of water rights is becoming a big issue throughout the region and that the Department of Ecology seems to be restricting access by not reviewing submitted claims or requests. She asked the Council for authorization to hire a water-rights attorney to review our situation and documentation to clarify that our water rights are protected as fully as possible. Councilmember Leider suggested that another question to answer could be what avenues may be available to expand our current water rights should we need additional access or flow in the future.

MOTION: Councilmember Leider moved to authorize Mayor Wells to seek counsel on the Town's water rights at a cost not to exceed \$1,000. Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

DANGEROUS TREES: Councilmember Young reported that a couple of trees that were identified as posing potential safety risks are being handled by Trees for Life. He added that Ian from Trees for Life had examined these trees, determined that they were either dead or significantly diseased and should be removed, and will provide the appropriate documentation.

POSSIBLE CHANGE IN MEETING TIME: It was suggested that the Council consider starting their meetings at 7pm instead of 7:30pm so that they might end earlier in the evening. It was the consensus of the Council to try this earlier time beginning in March.

NEXT MEETING: Clerk-Treasurer Spens reminded the Council the March meeting is scheduled for March 14th and will be held at Aaron Sharp's house.

ADJOURN: Councilmember Clemett moved to adjourn the meeting at 10:20 pm. Councilmember Sharp seconded.

Vote: 4 For, 0 Against, 0 Abstain. Motion carried.

Respectfully submitted,

Sue Ann Spens
Clerk-Treasurer